

EXHIBIT 4

Kevin Lucas
October 27, 2020

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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK3 ----- X
4 ULKU ROWE,

5 Plaintiff,

6 Case No.
7 19 Civ. 08655 (LGS) (GWG)

8 v.

9 GOOGLE LLC

10 Defendant.

11 DATE: October 27, 2020

12 TIME: 11:35 A.M.

13
14 VIDEOTAPED VIDEOCONFERENCE DEPOSITION
15 OF KEVIN LUCAS, held via Zoom, pursuant to Notice,
16 before Hope Menaker, a Shorthand Reporter and
17 Notary Public of the State of New York.

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today?

A. No.

Q. Did you look at anything on the computer that maybe wasn't printed out?

A. I looked at a job code dashboard, but

- -

O. And what's that?

A. It is an internal dashboard that essentially lists job titles and levels that are attached to a specific job code.

Q. Does that have any relationship to the ladder?

A. Job codes and job titles are attached to a ladder, but there isn't -- there isn't additional detail that is specific to the ladder.

Q. So my question is; the job code dashboard that you looked at --

A. Yes.

Q. -- does that have any connection to the ladder?

A. Well, job codes are attached to a job title that sits on a job ladder or within a job family so they are related, but it's just a spreadsheet with, like numbers and -- and job

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titles essentially.

So I guess, said differently, there's not a depth to the dashboard other than just validating job codes and job titles.

Q. So describe for me what you saw --

A. Yep.

0. -- when you looked at that dashboard?

A. If you can imagine a spreadsheet, it essentially lists every single job code in the company, the corresponding job title, the job level, and I think it might list the ladder but I don't recall.

Q. Were you asked to provide documents or materials to Google in connection with this case?

A. Yes.

O. When was that?

A. It had to have been more than fifteen months ago.

Q. Did you provide documents in connection with this case?

A Documents yes

Q. And by "documents," you understand

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with you, Ken, at another time off the record.

MR. GAGE: Well, I -- I think he is prepared to talk about the process for the creation of job postings, the process for creation of job descriptions, and I think he indicated in response to a number of your questions that he is prepared to talk about that generally and so I think, you know, you can choose whether or not to follow up on that, it's your choice, but I believe he is prepared; but we could talk about it off the record too, if you want.

MS. GREENE: Yeah.

Q. Mr. Lucas, are you able to testify as to the job duties of technical solutions consultants within OCTO?

A. Yeah, I think generally so.

Q. What are the job duties?

A. They are largely an interplay between customers and sales. So I consider them kind of the -- the ride along to our selling function, whereby they work most closely with senior and/or C-level executives at large organizations around

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the world to speak to how our products and services can add value to their businesses and, more likely than not, speak to the way in which our products and services technically integrate or support their respective lines of business.

Q. And what is that understanding based on?

A. Observation and some visibility into it. OCTO partners closely with our sales organization and Tariq's organization.

Q. With respect to the job duties of a technical solutions consultant in OCTO, who is the best person to testify as to what the job duties entailed?

MR. GAGE: Objection.

A. I would assume Will Grannis, the leader of the organization, is suited for that.

Q. And also someone who is performing the role, would you expect that they would be able to testify as to their job duties?

MR. GAGE: Objection.

A. I think so.

Q. Okay. I want you to -- we're going to go to Tab 135. Let me know when you have it.

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A. Yes, that is my understanding and I think they still do.

Q. And that's an Eng role?

A. No, it is not.

Q. Are there other roles that use the technical solutions consultant ladder?

A. I am not aware of other roles within Cloud, other than the ones that I've mentioned, that use the TSC job family. There are several roles outside of Cloud that use that family.

Q. Focusing on director level
roles --

A. Okay.

Q. -- what are the substantive differences between a director in a technical solutions consultant role and a product management role?

A. Oh, they're -- they're rather different roles.

A product manager -- a product management director is defining the strategy of the product in the multi-tier road map and partnering with engineering to actually build according to that road map and deliver that

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product to customers or users.

Technical solutions consultants have

nothing to do with product strategy or road map.

They -- they don't really interact with the

engineering side of the house that much. It is

largely a go-to-market function that is attached

to our seller motion.

So their -- it -- it -- like I'm

hard-pressed to find a commonality between the

two.

Q. With respect to technical solutions consultant directors, I want to just focus in on OCTO, the directors within OCTO. What are the substantive differences between the TSC directors in OCTO and directors in product management?

A. The primary difference is TSCs in OCTO have nothing to do with the product strategy and road map.

Q. So your testimony is they have

nothing to do with the product strategy?

MR. GAGE: Objection.

A. Yeah. Again, the TSCs in OCTO are

more aligned to the selling motion so they

are -- yeah, they're -- they're more of a selling

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motion for us than -- than anything.

Q. And is it your testimony that they also don't work with engineering at all?

MR. GAGE: Objection.

A. It is -- how do I -- yes, basically they might interact occasionally with engineering or product management, but they by -- by saying "work with," I wouldn't characterize it as that because I interpret that as almost like close partnership and collaboration on something and that's -- that's not so much the role.

Q. What -- again, focusing on technical solution consultants, the director level in Cloud -- I mean in OCTO, I'm sorry --

A. In OCTO.

Q. -- what's the difference between the responsibilities of that role and the responsibilities of a director in software engineering?

A. It's -- it's a similar response to PM in that they're -- they're more dissimilar than they are alike.

Software engineering leaders, a portion of their role is actually building. So

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coding the products that -- or writing the code that builds our products and services. So literally writing in computer language to build things.

Whereas the TSC directors in OCTO do not check in code to Google Free, which is -- is our platform by which we launch our -- our products. So, in fact, I don't think they have -- I don't think TSCs in OCTO have access to write code in Google Free.

Q. Are directors writing code or are they supervising people who are writing code?

A. There's a component of -- of writing a code and -- and approving a code before it's pushed into production of -- of directors, yes.

Q. Do you know what technical requirements a technical solutions consultant is required to have?

MR. GAGE: Objection. I'm sorry, I
didn't hear the question. You broke up.

Q. Do you know what technical requirements a technical solutions consultant is required to have? What are their technical qualifications --

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2 MR. GAGE: Objection.

3 Q. -- again, focusing on directors in
4 OCTO?5 A. I would probably characterize it as
6 the ability to understand concepts versus actually
7 write code. So technical solutions, the -- the
8 job family technical solutions consultant, is kind
9 of more generally focused on understanding
10 technical concepts and how that applies to
11 implementation on the customer's side of the
12 house.13 Whereas the software engineering is
14 kind of understanding the guts and everything
15 under the hood and actually being able to build
16 all of it from scratch.

17 MS. GREENE: So --

18 MR. GAGE: Cara, yeah, can we pause
19 for a second. I -- I had a screen -- Kevin's
20 screen froze and I couldn't hear him.21 So, Hope, can you just tell us what's
22 the last thing you heard and maybe just go to
23 the question and the answer so that we all
24 know the context of where we are on the
25 record at least.

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would need to have a -- a pretty solid amount of technical acumen and depth to be able to have that conversation with a customer, for example.

Q. Do you know whether the ideal candidate is someone who is either an CTO, an algorithmic quantitative trainer, or an SCT of engineering?

MR. GAGE: Objection.

A. Yeah, those are three very different and very specific -- almost -- roles, but I -- I can see how that would be valuable; but when it comes to actually performing the job, again it goes back to the knowledge, awareness and -- and capability to understand concepts and -- and think through how to implement that.

So you -- again, you wouldn't necessarily be coding in specific programming language. In fact as part of the interview process, software engineers actually have to code.

Q. Are -- amongst all of the 12 positions we have been discussing thus far, are those all salaried positions?

A. Yes.

Q. Do -- are all of those positions

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2 positions where people may work more than 40 hours
3 in a week?4 A. I -- I suppose, yeah. Any -- any
5 position you can work for more than 40, right, but
6 I will say -- perhaps maybe a little bit outside
7 of the scope of this question, I will say that
8 Google is an organization that explicitly tries to
9 find that balance. So, again, a lot of it is on
10 the individuals to find what that it looks like as
11 well.12 Q. For directors at Level 8s and 9s at
13 this position, is it considered a, quote/unquote,
14 9 to 5 job?

15 MR. GAGE: Objection.

16 A. I think it could be.

17 Q. Do you know any directors at Level 8
18 and 9 in these positions who only work 40 hours a
19 week?

20 MR. GAGE: Objection.

21 A. None of them punch a time clock, so I
22 wouldn't be able to -- to definitively say what
23 hours they're working and the way in which they --
24 they decide to work.

25 In observation it would appear though

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2 level, Level 8 plus, is it also common that they
3 are an expert in their respective area?4 A. I think that's a reasonable way to
5 say it, yeah.6 Q. Are you familiar with the term
7 "Googely"?

8 A. I am.

9 Q. And can you define for us what the
10 term "Googely" means as it's used at Google?11 A. Yeah. I would say it's probably best
12 defined in the form of behavioral descriptors. So
13 supportive of -- of teammates, an empathetic
14 approach to their work and interactions, roots
15 everything in doing the right thing so there's
16 integrity. I do think there's this element of
17 bringing your best self to work, so showing up
18 authentically and intentionally.19 Q. Okay. With respect to the 12
20 positions, is it an expectation with respect to
21 those 12 positions, for the individuals in those
22 positions to have the quality of innovative
23 thinking?

24 MR. GAGE: Objection.

25 A. I think there's probably some level

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2 of -- to some degree, innovative thinking can be
3 subjective. If it is rooted in the ability to
4 think differently or creatively or -- or more in
5 that space, that is probably a reasonable
6 expectation of most senior roles at Google, not
7 just these 12.8 The way in which innovative thinking
9 would show up in each of those roles might be a
10 little different or would be a little different,
11 but I -- I think it's a reasonable statement.12 Q. With respect to those individuals in
13 those 12 positions, would they be expected to have
14 the quality of collaboration?15 A. I -- I would say that's universal
16 across every role at Google, so yes.17 Q. And are they also expected to be
18 highly technical in their respective positions?19 A. "Highly" in -- in my opinion is a
20 rather subjective word in that on the software
21 engineering ladder for example where you were
22 literally building these products in -- in a
23 programming language, I would say highly
24 doesn't -- it -- it isn't a strong enough word to
25 describe that.

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2 On the product management side if I
3 were to kind of stack, again I would say software
4 engineering, product management, you would need to
5 be probably highly technical.6 On the technical solutions side maybe
7 moderately, only because I'm stacking them right
8 now because I do think there's a difference
9 between the three in the way in which that ability
10 shows up, but there is -- there's value in a solid
11 level of technical acumen and at a minimum in all
12 of them, but again the degree to which that shows
13 up is gonna be very different.14 Q. Is it true of all the positions,
15 those 12 positions, and again we're focusing on
16 directors, director levels of those 12 positions,
17 is it true that they -- a requirement is that they
18 have the ability to work independently?19 A. Without looking at a job description
20 of specific role, a profile of each 12, I would
21 say yes, that's a -- a reasonable expectation but,
22 again, that's an expectation to varying degrees
23 across levels so I -- I hate to kind of pic -- I
24 would say it's probably relevant to most roles at
25 Google, but I think a lot of this is -- is true

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2 which the degree to which it is -- is required or
3 shows up.4 Q. With respect to the directors in
5 those 12 positions, is it a requirement that they
6 know how to design and deliver complex
7 applications or services?8 A. I would say that's not a requirement
9 of the technical solutions consultant role in OCTO
10 or even technical solutions consultant more
11 broadly. That is -- is likely a requirement that
12 is most closely aligned with engineering and
13 product management, but again it -- the service
14 appear -- like the tail end of that -- that
15 question is, it depends on how you would
16 double-click and define the services.17 Q. Do individuals in those 12 roles need
18 to have experience with multiple software design
19 methodologies?20 A. I -- I wouldn't think that's a
21 required expectation of the TSC job family,
22 although there's probably value in it.23 It's absolutely needed on the
24 engineering side and within product management
25 roles that, again if I stack rate it in terms of

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when Sundar said that, generally speaking, all of Google will continue work remotely until June of 2021. So, yes, that is -- it's available to them.

That said I think it's by the end of this year they all have to be working within their home countries, so the country for which their position is assigned. So they cannot be internationally mobile beginning January 1 and/or their first day back in the office if they were taking a leave of absence or vacation.

Q. Are you familiar with the term "individual contributor" as that term is used at Google?

A. Yes.

Q. And can you explain to me the difference between an individual contributor versus a person manager?

A. Yep, an individual contributor does not have direct reports.

Q. Do you know how many Level 8s among these different positions are individual contributors?

MR. GAGE: Objection.

A. I would -- I can't give you a

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specific number, but I would say it's very, very few.

Typically once you move -- or at Level 8 and above. The fast vast majority of people in those roles are people managers unless your role is maybe a bit nuanced or specialized or divergent in -- in some way. So, for example, I've worked with director-level chief of staff who was an individual contributor.

Q. And what significance does being an individual contributor versus being a person manager have for an individual; how is that -- how is that designation used in the decision-making process at Google?

MR. GAGE: Objection.

A. Can I ask you to clarify what decision-making process?

Q. I'm trying to understand everything that may be implicated by someone having the designation of individual contributor versus manager.

A. Oh, okay.

MR. GAGE: Objection.

Go ahead.

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2 managers people management training from
3 which I'm not sure if people place much
4 significance on that aspect of it. Yeah, I -- I
5 don't see that it's -- there's a lot of
6 significance in it.

7 Q. With respect to the distinguished
8 technical solutions consultant role --

9 A. Okay.

10 Q. -- are you aware of a minimum number
11 of years of experience needed for that role?

12 A. I -- I would have to consult the
13 guidelines. I would speculate that you said it
14 distinguishes L 8, if I remember correctly. I
15 would speculate it's probably somewhere between
16 upper teens, maybe twenty.

17 Q. What about with respect to the L 9
18 role?

19 A. I would say -- and a qualifier to
20 that is relevant years of experience. For the
21 L 9, I would probably say just kind of a handful
22 more than -- than whatever that memo is.

23 Q. Do you know this to be the case or is
24 this your assumption based on what you know about
25 Google generally?

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2 A. Well, it's --

3 MR. GAGE: Objection.

4 Go ahead.

5 A. Without -- without looking -- I said
6 it is speculative without looking at the -- the
7 specific leveling guidelines; but in observation
8 of directors we have brought into the
9 organization, that's what leads me to that number.10 Q. When we looked at the leveling
11 guidelines earlier we didn't see a minimum number
12 of years, correct?

13 MR. GAGE: Objection.

14 You can look back at the document if
15 you'd like, but -- do you know which document
16 that was that you're referring to, Cara?17 MS. GREENE: Yeah, give me one
18 moment.19 THE WITNESS: I think it was 10 --
20 no.21 Q. Did you find it for the technical
22 solutions consultant?23 A. I haven't yet. I'm clicking through
24 each tab.

25 Q. All right, I've got it. Give me one

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been going a little over an hour now, so we can take a short break.

MR. GAGE: What time do you want to come back? You want to make it 5 -- Eastern Time 5:15?

MS. GREENE: Sure.

THE WITNESS: That works? Okay, that works for me.

MR. GAGE: All right.

MS. GREENE: We'll go off the record.

THE VIDEOGRAPHER: We're going off the record, the time is 5:07 p.m. New York time.

(Whereupon, there was a brief recess in the proceedings.)

THE VIDEOGRAPHER: The time is 5:17 p.m. New York time, we're back on the record

Q. Okay. With respect to software engineers Level 8s, what are their day-to-day responsibilities?

A. So it would depend on the software engineering job ladder. There are two tracks. So there is a technical track, also known as the TC

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track, though not necessarily the individual contributors. There is a manager track.

So, broadly speaking, day-to-day responsibilities can be everything from probably the bulk of -- a reasonable amount of their time being spent on coding and/or approving codes that's have been pushed into production that ultimately make their products and services available.

I would say there's a bulk of it that -- or maybe a smaller portion that's around leading the team if you're on the people manager track. There's a reasonable part of it that is around contributing to what we call PRD, Product Requirement Documents, that these are essentially documents that define how -- like what we're trying to build and how we're actually gonna kind of build it; and there's probably a -- a small percent of time that they are kind of doing like typical business stuff, just like end meetings and corroborating and things like that.

Those are probably the broad buckets.

Q. And in what ways does the day-to-day responsibilities of Level 9 software engineers

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look different?

A. Day-to-day responsibilities for software engineering don't change a whole lot from Level 8s to 9. It is similar to our conversation we previously had, whereby either the scope and visibility and impact of their role shifts in some ways.

So they are probably more aligned to a higher priority product, perhaps a more kind of innovative product if you will. They may start leading a larger organization whereby more, quote/unquote, products roll up to them.

So it's more about kind of scope and product prior -- priority than shifting day-to-day responsibilities from an L 8 to L 9 software engineer.

Q. What are the skills necessary for an L 8 software engineer?

A. Coding ability is probably the -- the
fore -- the forerunner there for which they still
have to go through coding interviews when code is
submitted in their interview packets, et cetera,
so that is probably the largest one.

There's going to be elements,

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2 depending on which track you're on, of leading a
3 team or organization. You're probably gonna to
4 see elements of strategic thinking to execution
5 because you have to be able to work with product
6 managers on -- on kind of building up that product
7 road map, but you also have to -- with production
8 managers on building the product road map and then
9 working with frontline engineers to actually code
10 the products themselves.

11 So it's a pretty interesting blend of
12 technical depth and kind of product leadership.

13 Q. And --

14 MS. GREENE: Hope, can you read back
15 the last question. Just the question, not
16 the answer.

17 (The question requested was read back
18 by the reporter.)

19 Q. And what different skills are is
20 required of a Level 9 --

21 MR. GAGE: Objection.

22 Q. -- a Level 9 software engineer?

23 A. If I -- I would probably say it's
24 just greater depth or ability of what I just
25 mentioned. So similar buckets, just more of if

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23 that makes sense.
45 Q. And with respect to the director of
6 product management, what are the day-to-day
7 responsibilities for a director of product
8 management Level 8 look like?9 A. Level 8, yeah. There are going to be
10 probably a few different elements there.11 There's going to be part of their
12 time that's spent on strategic direction of the
13 product and the ability defining where we want to
14 take this product on a multi-year road map and
15 starting to form a point of view on how we deliver
that -- that road map over the next, let's say,
six months to a few years.16 There's an element around kind of
17 data analysis and customer feedback, so adjusting
18 how customers are using the product or service
19 and -- and responding to that feedback in either
20 reactive ways to support the need we didn't meet
21 or perhaps proactively thinking about features
22 that we can build into the product or service that
23 may unlock value to their business that they may
24 not necessarily see.

25 L 8 product managers are -- are

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people leaders, so there's not a kind of individual or technical track in the manager track; it's all one. So they're likely lead a -- probably a small to medium-sized team of product managers on respective product or groups of related products.

And then similar to software engineering, there's a portion of their time that's spent in kind of meeting, corroborating with Eng, talking about feasibility and product road maps, and how we actually think about building these -- these over time.

Similar to software engineering, the difference between L 9 -- L 8 and L 9 is largely scope, scope -- scope, product complexity, or product portfolios that we will likely grow them into additional prod -- roles that have responsibility for additional products and/or ask them to build out more nascent products. So it's going to be the innovation side of it.

Q. And I apologize if you already answered this: Is -- product management, is that considered an Eng role as you consider it?

A. So Eng is most often referred to as

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2 software engineering, but product management is
3 still a technical role because it sits within the
4 broader umbrella of Eng PM. So the primary
5 partner to the PMs, to product managers, are the
6 SWEs, are software engineers.

7 Q. And what are the skills that are
8 necessary for the product management Level 8 role?

9 A. Yeah. For Level 8 PM directors,
10 you're probably looking at someone who has
11 built and/or scaled products to reasonable size
12 and/or significant size. So kind of your product
13 management pedigree is -- is kind of your whole
14 profile.

15 I would say the -- the strategic
16 thinking aspect of it is -- is critically
17 important for product managers, because their
18 having to look into the future and predict and/or
19 anticipate what customers or users are going to
20 want or need.

21 There is a monetization element of
22 it, at least for -- for our business, whereby
23 you're thinking from a commercial acumen
24 perspective how do you actually drive revenue
25 through these products and how you think about

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2 monetizing them.

3 Those are probably the three broad
4 buckets that are -- are more unique to the product
5 manager role, in addition to the other things I
6 mentioned before about kind of like, you know,
7 agility and ambiguity.8 Q. And what skills are less of -- what
9 additional skills are necessary at the L 9 level?10 A. I would say it's probably largely
11 around portfolio complexity, and what I mean by
12 that is for L 8 product managers it's not uncommon
13 that they manage a single product and/or a small,
14 small group of products.15 But once you move them to Level 9
16 product leaders, you're really looking more so
17 from a portfolio perspective whereby they're
18 probably going to have, you know, half a dozen
19 different products that roll up to them which then
20 means you're having to manage the competing
21 priorities and complexities across your portfolio
22 a little bit more.23 So there is a -- a systems akin
24 aspect of it that is probably a step change from
25 L 8 to 9.